

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Lt. Commander KENNETH J. WHITWELL,	:	
U.S. Navy,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A.No.05-796-SLR
	:	
Rev. EDWARD SMITH,	:	
	:	
Defendants.	:	

**UNSWORN DECLARATION OF CHRISTOPHER D. FORAKER,
UNDER 28 U.S.C. § 1746**

I, Christopher D. Foraker, hereby depose and state as follows:

1. I make this declaration on my own personal knowledge and I will testify hereto if called as a witness.

2. In April of 2007, I personally prepared the attached three page typed report (attached as Exhibit "A") regarding my service of Reverend James D. Bagnato with the following documents: Rule 69(a) Notice of Deposition Duces Tecum of Reverend James D. Bagnato, the Religious Superior of Defendant Edward Smith, in aid of execution (attached as Exhibit "B") and Rule 69(a) Notice of Deposition Duces Tecum of the Defendant Reverend Edward Smith in aid of execution (attached as Exhibit "C").



CHRISTOPHER D. FORAKER

I declare under penalty of perjury that the foregoing is true and correct. Executed on
April 12, 2007.

Whitwell / Execute Judgment/ Declaration - Christopher Foraker..final..wpd